

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM LEE CRUMP,

Petitioner,

v

Case No. 1:02 cv 684

DAVID JAMROG,

Hon. Wendell A. Miles

Respondent.

ORDER ON PETITIONER'S SECOND MOTION FOR RELIEF FROM JUDGMENT

On October 7, 2002, United States Magistrate Judge Ellen S. Carmody issued a Report and Recommendation ("R & R") recommending that William Lee Crump's petition for writ of habeas corpus be denied as time-barred. Ultimately, on May 6, 2004, the court entered a Judgment approving the R & R, rejecting an objection by the petitioner that the limitation period be tolled because his attorney failed to file the petition in a timely manner.

Petitioner filed a letter seeking relief from the judgment, which the court denied in an order entered on January 5, 2005. The matter is currently before the court on a second letter from petitioner, dated March 26, 2005 (docket no. 16), in which petitioner once again asks for relief from the judgment, pursuant to Fed.R.Civ.P. 60(b).

The court views petitioner's current request as a second successive motion for relief from judgment or order pursuant to Fed.R.Civ.P. 60(b). However, once again petitioner has failed to

establish grounds for relief as provided by Rule 60(b). The court therefore **DENIES** his second successive motion for relief from judgment.

So ordered this 28th day of April, 2005.

/s/ Wendell A. Miles
Wendell A. Miles
Senior U.S. District Judge